DOCKET #: W3060

PROPOSED ZONING:
PB-L

EXISTING ZONING:
RS9

PETITIONER:
Ruth Beck
for property owned by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRES: 0.85

NEAREST BLDG: 20' north

MAP(S): 612842
April 21, 2010

Ruth Beck
P. O. Box 25345
Winston-Salem, NC  27114

RE:  ZONING MAP AMENDMENT W-3060

Dear Ms. Beck:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary’s Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc:  City Secretary’s Office, P.O. Box 2511, Winston-Salem, NC  27102
T. E. Brewer, 230 Barney Road, High Point, NC  27265
## ACTION REQUEST FORM

**DATE:** April 21, 2010  
**TO:** The Honorable Mayor and City Council  
**FROM:** A. Paul Norby, FAICP, Director of Planning

### COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of Ruth Beck

### SUMMARY OF INFORMATION:

Zoning Petition of Ruth Beck from RS-9 to PB-L (Retail Store; Residential Building, Single Family; and Offices): property is located on the west side of Griffith Road and east side of Van Buren Street, south of Frontis Street (Zoning Docket W-3060).

### PLANNING BOARD ACTION:

**MOTION ON PETITION:** APPROVAL.  
**FOR:** UNANIMOUS  
**AGAINST:** NONE  
**SITE PLAN ACTION:** NOT REQUIRED
BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to PB-L (Retail Store; Residential Building, Single Family; and Offices) the zoning classification of the following described property:

PIN #6814-23-8566

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the _____ day of _________________, 20___ to Ruth Beck.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the Unified Development Ordinances for a development to be known as Ruth Beck. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.
CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED DISTRICT PERMIT

Issued by the City Council

of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of Ruth Beck, (Zoning Docket W-3060). The site shall be developed in accordance with the conditions approved by the Board and the following uses: PB-L (Retail Store; Residential Building, Single Family; and Offices), approved by the Winston-Salem City Council the _____ day of _____________________, 20____ " and signed, provided the property is developed in accordance with requirements of the PB-L zoning district of the Zoning Ordinance of the Unified Development Ordinances, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

• PRIOR TO THE ISSUANCE OF ANY PERMITS:
  a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Improvements may include extension of the curb and gutter and sidewalk from the property line southward to the driveway said the along the frontage of Van Buren Street.

• PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY NEW CONSTRUCTION AFTER APRIL 30 2010:
  a. Any new principal building constructed on the site shall be oriented to and have its main pedestrian entrance on Griffith Road with parking located to the side or rear.
  b. Developer shall obtain a new driveway permit from City of Winston-Salem Public Works Department. Improvements may include completion of the curb and gutter and sidewalk along the remaining frontage of Van Buren Street and along Griffith Road.
## CITY-COUNTY PLANNING BOARD
### STAFF REPORT

### PETITION INFORMATION

<table>
<thead>
<tr>
<th>Docket #</th>
<th>W-3060</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff</td>
<td>Gary Roberts, Jr. AICP</td>
</tr>
<tr>
<td>Petitioner(s)</td>
<td>Ruth Beck</td>
</tr>
<tr>
<td>Owner(s)</td>
<td>Same</td>
</tr>
<tr>
<td>Subject Property</td>
<td>PIN # 6814-23-8566</td>
</tr>
<tr>
<td>Address</td>
<td>2055 Van Buren Street</td>
</tr>
<tr>
<td>Type of Request</td>
<td>Special Use Limited rezoning from RS-9 to PB-L</td>
</tr>
</tbody>
</table>

**Proposal**
The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential, Single Family; 9,000 sf minimum lot size) to PB-L (Pedestrian Business - Special Use Limited District). The petitioner is requesting the following uses:
- Retail Store; Residential Building, Single Family; and Offices

### Zoning District Purpose Statement
Purpose. The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)
**(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?**
Yes, the site is located within GMA 3, adjacent to PB-S zoning and is within an area recommended for mixed use by the adopted area plan.

### GENERAL SITE INFORMATION

<table>
<thead>
<tr>
<th>Location</th>
<th>West side of Griffith Road and east side of Van Buren Street, south of Frontis Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>City of Winston-Salem</td>
</tr>
<tr>
<td>Ward(s)</td>
<td>South</td>
</tr>
<tr>
<td>Site Acreage</td>
<td>± .85 acre</td>
</tr>
<tr>
<td>Current Land Use</td>
<td>A single family home is currently located on the site.</td>
</tr>
</tbody>
</table>
### Surrounding Property Zoning and Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning District</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>PB-S</td>
<td>Commercial use</td>
</tr>
<tr>
<td>East</td>
<td>GB</td>
<td>hhgregg</td>
</tr>
<tr>
<td>South</td>
<td>RS-9</td>
<td>Single family home</td>
</tr>
<tr>
<td>West</td>
<td>LB-S</td>
<td>Jimmie’s Seafood</td>
</tr>
</tbody>
</table>

### Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)

(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?

Yes, the proposed uses are compatible with the adjacent commercial uses.

### Physical Characteristics

- The site has a gentle slope downward to the north.

### Proximity to Water and Sewer

- Public water and sewer are available to the site.

### Stormwater/Drainage

- No known issues

### Watershed and Overlay Districts

- The site is not within a water supply watershed.

### Analysis of General Site Information

- The site appears to possess no constraints and to be suitable for development within the proposed PB district.

### SITE ACCESS AND TRANSPORTATION INFORMATION

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Classification</th>
<th>Frontage</th>
<th>ADT Count</th>
<th>Capacity/LOS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Griffith Road</td>
<td>Minor Thoroughfare</td>
<td>182’</td>
<td>5,600</td>
<td>16,100</td>
</tr>
<tr>
<td>Van Buren Street</td>
<td>Local Street</td>
<td>179’</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Proposed Access Point(s)**

Because this is a Special Use Limited request with no site plan or access conditions, the exact location of access points is unknown; however, the site does have public road frontage on Griffith Road and Van Buren Street.

**Planned Road Improvements**

The Comprehensive Transportation Plan recommends a three lane section with wide outside lanes, curb and gutter and sidewalks for Griffith Road.

**Trip Generation - Existing/Proposed**

**Existing Zoning: RS-9**

\[
.85 \times 43,560 \text{ sf} / 9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ Trips per Day}
\]

**Proposed Zoning: PB-L**

No trip rate is available with the proposed request which has no site plan.

**Sidewalks**

Sidewalks were required along both street frontages on the adjacent lot to the north upon its rezoning to PB-S. Sidewalks will similarly be required on the subject property should a new structure be constructed on the site.

**Transit**

Route 43 along Griffith Road
<table>
<thead>
<tr>
<th>Analysis of Site Access and Transportation Information</th>
<th>Staff does not anticipate any negative transportation impacts from this request. Sidewalks will be required on the subject property should a new structure be constructed on the site (see proposed conditions for details).</th>
</tr>
</thead>
</table>

### CONFORMITY TO PLANS AND PLANNING ISSUES

<table>
<thead>
<tr>
<th>Legacy GMA</th>
<th>Growth Management Area 3, Suburban Neighborhoods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Legacy Recommendations</td>
<td></td>
</tr>
</tbody>
</table>
| - *Infill and Redevelopment*: Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area.  
- *Community Services*: Permit services near where people live including places of worship and other institutions in a manner that is compatible with surrounding uses, and provide retail and service uses within walking and bicycling distance of neighborhoods. (p. 148) |
| Relevant Area Plan(s) | *Southwest Suburban Area Plan, 2009* |
| Area Plan Recommendations |  |
| - The property is located in the South Stratford Road/Burke Mill Road Commercial/Multifamily Mixed-Use Area. This area is primarily commercial uses along with a small percentage of older single-family residential development. This single-family residential development is likely to redevelop in the near future. Development in the mixed-use area should have pedestrian connections to the residential/office development south of Burke Mill Road.  
- Future development should incorporate pedestrian-scaled architectural detailing and allow for a visual connection between the public realm and activity inside buildings. Sidewalks and street trees should also accompany new development here, and a conscious effort should be made to link this area to the South Stratford MAC and Hanes Mall Mixed-Use area. (p.35)  
- The property is shown for commercial use on the Proposed Land Use Map (Map 7-pp. 38-39). |
| Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R) | (R)(3) - Have changing conditions substantially affected the area in the petition?  
The surrounding area has experienced significant multifamily and commercial development leading up to the adoption of the area plan in 2009.  
(R)(4) - Is the requested action in conformance with Legacy?  
Yes |
| Analysis of Conformity to Plans and Planning Issues | The request to rezone the subject property from RS-9 to PB-L is consistent with the surrounding zoning and development pattern. It is also consistent with Legacy’s infill recommendations and the recommendations of the *Southwest Suburban Area Plan (SWSAP)*, as the proposed district allows for a mixture of uses. |
The site currently contains a modest sized, single family home which could be converted into a retail or office establishment, if this request is approved. However, considering the size of the site and its general location, it is feasible that said structure could be removed and the site completely redeveloped. In that light, staff would like to emphasize the specific pedestrian scaled design elements of the PB district which would apply to such a redevelopment. These elements include buildings pulled up to the street, sidewalks, building entrances facing the street, windows, awnings, etc. Because the site has two street frontages, staff would recommend that any new buildings should orient their front façade to Griffith Road which is the primary north/south connector in the general area and not to Van Buren Street (see proposed conditions for details).

### RELEVANT ZONING HISTORIES

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Decision &amp; Date</th>
<th>Direction from Site</th>
<th>Acreage</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>W-3019</td>
<td>PB-S to PB-S</td>
<td>Approved 4-6-09</td>
<td>Directly north</td>
<td>.52</td>
<td>Approval</td>
</tr>
<tr>
<td>W-3014</td>
<td>RS-9 to PB-S TWO PHASE</td>
<td>Approved 2-2-09</td>
<td>500’ southwest</td>
<td>2.32</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### CONCLUSIONS TO ASSIST WITH RECOMMENDATION

<table>
<thead>
<tr>
<th>Positive Aspects of Proposal</th>
<th>Negative Aspects of Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request is consistent with the recommendations of Legacy and the Southwest Suburban Area Plan.</td>
<td></td>
</tr>
<tr>
<td>Request is consistent with the purpose statement of the proposed PB district.</td>
<td></td>
</tr>
<tr>
<td>Request is compatible with the surrounding development pattern.</td>
<td></td>
</tr>
</tbody>
</table>

### SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
  a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Improvements may include extension of the curb and gutter and sidewalk from the property line southward to the driveway said the along the frontage of Van Buren Street.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY NEW CONSTRUCTION AFTER APRIL 30 2010:**
  a. Any new principal building constructed on the site shall be oriented to and have its main pedestrian entrance on Griffith Road with parking located to the side or rear.
b. Developer shall obtain a new driveway permit from City of Winston-Salem Public Works Department. Improvements may include completion of the curb and gutter and sidewalk along the remaining frontage of Van Buren Street and along Griffith Road.

**STAFF RECOMMENDATION:** Approval

**NOTE:** These are staff comments only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.

**PUBLIC HEARING**

FOR: None

AGAINST: None

**WORK SESSION**

MOTION: Clarence Lambe moved approval of the zoning map amendment.
SECOND: Wesley Curtis
VOTE:
   FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican
   AGAINST: None
   EXCUSED: None

A. Paul Norby, FAICP
Director of Planning